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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|-----------------------|------------------|
| 10/798,505 | 03/11/2004 | Keisuke Aoyama | 600052-0000 (B75163D) | 6391 |

33649 7590 10/04/2005

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EXAMINER

MEINECKE DIAZ, SUSANNA M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3623

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Ne

Office Action Summary

Application No.

10/798,505

Applicant(s)

AOYAMA ET AL.

Examiner

Susanna M. Diaz

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-14 and 21-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-14 and 21-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/10/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 11-14 and 21-37 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11-14, 21-24, 26, 31, and 37 are rejected under 35 U.S.C. 102(a, e) as being anticipated by Yang et al. (US 2001/0034673).

Yang discloses a system for supply chain management comprising:

[Claim 11] an order controller system receiving inventory data and generating reverse logistic data (Fig. 3; ¶¶ 21-24); and

a warehouse system receiving the reverse logistics data and generating shipping data (¶¶ 19-20, 21-24);

[Claim 12] a distribution system receiving the reverse logistics data and generating shipping data (¶¶ 19-20, 21-24, 35-37);

[Claim 13] wherein the order controller system further comprises an internal warehouse order system receiving the shipping data and modifying internal warehouse order data in response to the shipping data (¶¶ 19-20, 21-24, 35-37);

[Claim 14] wherein the warehouse system further comprises an inventory system receiving the shipping data and modifying inventory data in response to the shipping data (¶¶ 19-20, 21-24, 35-37 -- Inventory is managed at all warehouse locations to identify where inventory levels need to be adjusted, e.g., by transferring inventory from one location to another).

Yang discloses a system for supply chain management comprising:

[Claim 21] an order controller system receiving warehouse inventory data and distribution center inventory data and generating reverse logistics data to improve a distribution of inventory at a warehouse and a distribution center (¶¶ 19-20, 21-24, 35-37);

a warehouse system receiving the reverse logistics data and generating shipping data (¶¶ 19-20, 21-24, 35-37); and

a distribution system receiving the reverse logistics data and generating shipping data (¶¶ 19-20, 21-24, 35-37);

[Claim 22] wherein the order controller system further comprises an internal warehouse order system receiving the shipping data and modifying internal warehouse order data in response to the shipping data for a warehouse operated by an operator of the supply chain management system (¶¶ 19-20, 21-24, 35-37 -- Inventory is managed

at all warehouse locations to identify where inventory levels need to be adjusted, e.g., by transferring inventory from one location to another);

[Claim 23] wherein the order controller system further comprises an external warehouse order system receiving the shipping data and modifying external warehouse order data in response to the shipping data for a warehouse that is not operated by an operator of the supply chain management system (¶¶ 19-22, 25 -- All entities in the supply chain, both internal and external, are coupled to one another and may share inventory data);

[Claim 24] wherein the warehouse system further comprises an inventory system receiving the shipping data and modifying inventory data in response to the shipping data (¶¶ 19-20, 21-24, 35-37 -- Inventory is managed at all warehouse locations to identify where inventory levels need to be adjusted, e.g., by transferring inventory from one location to another).

Yang discloses a method for supply chain management comprising:

[Claim 26] receiving warehouse inventory data and distribution center inventory data and generating reverse logistics data to modify a distribution of inventory at a first warehouse and a second warehouse (¶¶ 19-20, 21-24, 35-37);

receiving the reverse logistics data at a first warehouse system and generating shipping data (¶¶ 19-20, 21-24, 35-37 -- Inventory is managed at all warehouse locations to identify where inventory levels need to be adjusted, e.g., by transferring inventory from one location to another); and

receiving the reverse logistics data at a second warehouse system and generating shipping data (¶¶ 19-20, 21-24, 35-37 -- Inventory is managed at all warehouse locations to identify where inventory levels need to be adjusted, e.g., by transferring inventory from one location to another);

[Claim 31] wherein the first warehouse is operated by an operator of a supply chain management system and the second warehouse is not operated by the operator of the supply chain management system, and priority is given to maintaining predetermined inventory levels at the first warehouse (¶¶ 19-20 -- An internal warehouse only looks to an external warehouse if supply is unavailable internally. In this sense, the internal entities give preference to the inventory levels at the first (internal or lower-level) warehouse(s));

[Claim 37] wherein the second warehouse is a distribution center (¶¶ 19-20 -- There are multiple distribution warehouses, both internally and externally).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 25, 27-30, and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang et al. (US 2001/0034673), as applied to claims 21 and 26 above, in view of Singh et al. (US 2002/0169657).

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[Claims 25, 27-30, 32-36] As per claims 25, 27-30, and 32-36, Yang discloses a forecast planning function that generates demand forecasts to help plan for short-term and long-term inventory goals (¶¶ 33-35), including in a service parts environment with retail end-users, or customers (¶¶ 2, 36), yet Yang does not expressly teach a promotion management system generating promotion data, wherein the order controller system receives the promotion data and generates reverse logistics data to improve a distribution of inventory at a warehouse and a distribution center in response to the promotion data, or that the inventoried locations are retail locations. However, Singh makes up for these deficiencies in its teaching of a retail-based forecast and planning system that takes into account causal factors, such as new competitive products, price promotions, obsolete or superseded products, introduced and/or discontinued products, new product introductions, etc. when forecasting product demands (¶¶ 17, 80, 81, 84, 86, 87). Singh's forecasting techniques help to more accurately predict customer demands, thereby reducing stocking costs and distribution expenses, which leads to a reduction of the sales unit price of products and an enhancement of profit margins (see ¶ 4 of Singh). More generally, one of the main goals of Singh is to "proactively [predict] demand across multiple levels of the supply chain so as to avoid costly mismatches of demand and supply" (¶ 2). Similarly, Yang's main goal is to more effectively distribute inventory throughout a supply chain; therefore, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Yang to adapt its reverse logistics order controller system (which includes demand forecasting capabilities) specifically to retail (claim 32) promotional

management functions so that the order controller system receives promotion data (claim 25), such as product promotion data (claims 27, 33), product rollout data (claims 28, 34), product replacement data (claims 29, 35), or product deletion data (claims 30, 36), at the order controller to generate reverse logistics data to improve a distribution of inventory at a warehouse and a distribution center in response to the promotion data in order to more accurately predict customer demands, thereby reducing stocking costs and distribution expenses, which leads to a reduction of the sales unit price of products and an enhancement of profit margins (as suggested by Singh).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susanna M. Diaz
Primary Examiner
Art Unit 3623

September 29, 2005